

Video Transcription of Dinesh D'Souza's Interview on The Steve Malzberg Show

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PARTICIPANTS: Steven Malzberg "SM"
Dinesh D'Souza "DD"

ABBREVIATIONS: (U/I) = Unintelligible
(PH) = Phonetic
(***) = Portion of Recording Redacted

(BEGINNING OF VIDEO)

SM: Uh, against that backdrop, let's welcome in, uh, Dinesh D'Souza as promised. Hello Dinesh, how are you sir?

DD: Uh, hello Steve. Good to be on the show.

SM: Good to be on - good to have you on. And I didn't, I didn't - that just broke. It wasn't my intention to (stutters) lay down some examples of uh, people violating or breaking the rules, or not meeting the requirements and getting a pass and leading into you, um, because you did plead guilty, and if you did something against the law then, you know, then there are consequences. But tell me – because we had you on, you didn't talk much about the case – you couldn't – uh, but there are some who said - who have said since your guilty plea - although, you know, not Gerald Molen. He's behind you 110%. He was on the show, um, as you know. But there are some who've said you should've just said from the beginning you did it and not lead people - I think uh, we had one, one writer who said you led them down – your supporters – down a rabbit hole. Talk about that reaction.

DD: Well, uh, from the beginning of this case when the um, uh, the prosecution and I appeared in court, I said that I did exceed the limits of the campaign finance laws. So not from the beginning did I maintain, uh, that I did not exceed them. The case revolved really on 2 points. Uh, one is the issue of selective prosecution. In other words, is it the case that I was being selectively or excessively prosecuted for something that normally doesn't get this kind of

treatment. Remember Steve that this is a case involving no corruption whatsoever. Uh, I gave \$20,000 dollars to a longtime college friend who was running for the Senate, and I wasn't trying to get anything out of it. I just saw that her campaign was flailing. She was flailing, I was trying to help her, and I did it in the wrong way. So I admitted that I did that from the very beginning. The second issue was my intent: did I intend to commit a crime? Did I intend to break the law? What really changed in the case is that the Judge ruled that the selective prosecution issue could not be, could not be introduced in court. Uh, and second, he defined intent in a quite narrow way that made it almost impossible for me to launch a defense based on that. So, those were the things that changed. It wasn't that I had one story at the beginning, another story at the end. The issues in this case have been the same from the very beginning.

SM: Fair enough, fair enough. Um, but I, but I do believe you maintain that uh, - and don't want to put words in your mouth - that this was selective prosecution. You're not in court now, so you can feel free.

DD: Well, I mean, I just look - vide apart from my case, just look at what's happening in America today. You see that the Obama administration in case after case, uh, is taking situations that are quite serious - I mean, very recently, Harry Reed takes a bunch of money from his campaign and uses it for - uh, to spend on a relative's wedding. Now that's a little more egregious - that's clearly deliberate - uh, and nothing's happening to him. Uh, the Obama campaign has had to - had paid fines, uh, for all kinds of campaign finance abuses. And then going outside of the campaign finance issue, uh, even my partner Gerry Molen, right after we released the film 2016, boom; he's approached by the IRS. Look at all the tea party groups that are being uh, called, uh, to the mat, uh, by the IRS. So, here's the point Steve; I mean, look we have disagreements with the liberals, we disagree with them on taxes and a bunch of issues, but the idea that you use the instruments of the Government to, um, uh, go after your enemies and excuse your friends – I mean, that's just un-American. Uh, that's in a way an assault on the shared principles that liberals and conservatives agree upon. So that's really the issue. I've never claimed I'm above the law, or that I don't deserve to be held accountable for what I did. I'm merely saying that let's look at the overall picture and see whether this administration has in fact kept Lady Justice blindfolded, or if Lady Justice is - under Obama is peering uh, through the blindfolds, uh, and making selective decisions.

SM: Uh, let me ask you, uh, from what I've read - and I only know what I've read, and I've heard you, uh, you know, uh, talk a little bit. Uh, it seems like you're at the mercy - or the discretion I should say, of the Judge. I mean, usually - was this a, was this a plea bargain in the traditional sense? Because as a layman, I would imagine a plea bargain is, you plead this, guilty to this and that, and you know what - I mean, you (stutters) kind of know what your sentence will be. I mean, maybe I'm wrong, but it seems like there's great leeway to putting you in jail, uh, for at least a couple of months under what you pled guilty to, and you're hoping that they drop the more serious charge of lying to a, to a Federal uh, law enforcement. So, where are you exactly?

DD: Well, first of all, let me make clear that the second charge of lying didn't involve me actually talking to anybody, or, um, or allegedly saying any lies to them. It was simply that by the very fact of donating the extra \$20,000 dollars. This causes the campaign uh, to have a false report. So the, the lying charge was related to the other charge. But it does carry -

SM: Okay.

DD: a stunning maximum penalty of 5 years, and so -

SM: 5 years? Yeah, yeah.

DD: 5 years in prison. So, what happened was that the prosecution basically agreed to drop the second charge, uh, and I pleaded guilty to the first charge, which has uh, uh, a lesser vulnerability. But it is up to the Judge to decide what that penalty will be, and he will do that in the end of September.

SM: Now, eh, you talking about it like this - you talking about the selective prosecution as you see it, uh, even though it wasn't permissible in court. I mean, your lawyers have no problem with you doing that now? You don't think that the Judge will be - is listening, or will be influenced, or would care what you say from, uh, from this point on to the point of sentencing?

DD: Well, um, my lawyers raised the issue of selective prosecution in a brief that was filed, uh, with the Judge. You have to meet a certain legal standard for that to become part of the case. And the Judge ruled -

SM: No, I understand that. Yeah, yeah. But what I'm saying now -

talking about it now with me. Yeah.

DD: All - I'm talking about it in general terms. I'm not saying - in other words, the Government has all - has information about how they made the decision to prosecute. That information was left – was excluded from the trial, so we'll never know who decided to prosecute me, and when. All that information is in the possession of the Government, but we don't have it and we'll never get it. So, all I can do is talk about the possibility of selective prosecution, and all I can do is look at the world in general, and look at how the Obama administration deals with its friends and its critics, uh, and see whether they're applying an even-handed standard or not.

SM: I mean, Gerald Molen, uh, a couple of interviews ago when, uh, when this was first announced - the charges against you - uh, you know, said that for the first time in his life he's afraid of his Government. Uh, he, he stuck by that when we spoke the other day. Um, (stutters), I mean, where, where do you see this going? I mean, do you think that this is precedent setting? Do you think the next administration, uh, will now have carte blanche to do the same whether they be - to be honest with you - Democratic or Republican? Uh, and you know, NSA - uh, the restrictions that the House just passed on NSA - still allow the NSA to, to take in all of the conversations and records; just put them somewhere else, not where they've been going. Um, do you fear that we've crossed a threshold possibly that we, we either won't or can't go back from or back across to?

DD: Well, I do think that in politics um, when the standard gets lowered by one side, it tends to be lowered on the other too. In other words, if the Obama admin - if a Democratic administration systematically uses the Government to prosecute its critics, you can be pretty sure that a Republican administration will get the same idea if they come in next. So, in other words, the kind of tactics that anybody uses when they're in power can come back to haunt you when you're not in power. Now I think that that's all very terrible, and that it is uh, it's crossing a road that not only, um, is a misuse of the Judicial system, but actually makes, you know, makes a certain kind of a bond – a friendship, uh, between uh, the 2 parties almost impossible. I mean, if you're not - if you're agreeing - if you're saying that your, uh, critics aren't just people you disagree with, but are people you're going to try to lock up, uh, then you're basically creating a really fractured society. Uh, and I think we have come to a rather alarming station, uh, in American politics today.

SM: Uh, Dinesh, did I read something about - and I want to talk about first of all of course, 2016: Obama's America, um, great, great, great success, and now America, the next one. Um, I want to ask you how they differ? What's (stutters) in America that we, uh, should all be looking forward to seeing? And did - was there a story about Mark uh, Obama, the half-brother who I've had on this show from China - did he agree to participate and then back out at some point?

DD: Well, we did, uh - this was before the film was really ready. We had approached Mark Obama - um, actually Mark is very different than George. Uh, George Obama's a young man, he lives in a slum in Nairobi. The issue with George was just that it was kind of odd that Obama - President Obama – was gallivanting around the country saying "We are our brother's keeper." Here is his real - is his real brother and he's doing nothing to keep him. Now Mark Obama is a smart guy. He went to Stanford Emory Business School, he's an entrepreneur in China, and he's a free market guy. He has an ideology very different than Barack Obama. Uh, in fact, it would be kind of interesting -

SM: And by the way, by the way Dinesh, he's, he's Jewish too.

DD: He is. And he's married to a Chinese woman and they live in, in Shenzhen I believe in China. Anyway, we contacted him, he was happy to be interviewed in the film, and it was after the indictment that I think he freaked out. Uh, he might of realized that - uh, I don't know what really what went through his mind, but he backed out of that interview. But look, to answer your question about the America film; the 2016 film was really about one guy. It was about the strange and somewhat tragic life of Barack Obama. I think though Steve what's happening in America today is - the remaking of America as Obama calls it, cannot be done by one man. You need a powerful movement of people with him and around him; of people who are in academia, who are in media, who are in Hollywood, uh, and who are in Government who are together making this happen. Now, Obama did not create that movement; it created him. And so that's what this America film is about. It's really about the whole progressive movement as it is in our society, uh, and their vision for America, what they want to do to America, and how we should think about it, and what we should do about it.

SM: Yeah. And this movie - this one's coming out next month, and then it's gonna be all over by uh, by the summer, correct?

DD: Yeah. We open uh, in Houston and Atlanta on the 27th of June; it's kind of a preview. And then on July 4th - actually July 2nd, uh, we go nationwide. We'll be in 1,000 theaters all across the country.

SM: Alright. When you come to New York uh, with it, uh, we'll have you back on certainly. And listen, I wish you the best of luck. You're (stutters) an upstanding guy, and you know, you owned up to uh, to what you did, and as, as you said, you, you had to use your legal smarts and your attorney had to do what was best for you. And, you know, if you couldn't present the case that you wanted to present, and you couldn't argue that narrowly and hope to avoid the more severe charges. So, we wish you all the best Dinesh and can't wait to see America. And thank you for coming on.

DD: It's a pleasure.

SM: Thank you. Dinesh D'Souza, ladies and gentleman, here on the Steve Malzberg Show. And um - yeah, that's gonna be, that's gonna be an event. If you liked the first one - uh, from what I hear, everybody who has had a peek into it - you're gonna love this one. Alright, coming up, the panel once again joins us right here. You know, it's the final hour before Memorial Day. And don't forget, The Best Of: on Monday. And I personally will be back on Wednesday, um, to rejoin you, live and in person as they say, uh, here on the Steve Malzberg Show only on Newsmax Television. Don't you go away (theme music).

(END OF VIDEO)